

STATEMENT OF BASIS (AI No. 2589)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0070874 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: McKenzie Tank Lines, Inc
McKenzie Tank Lines dba NCI
2168 W. Admiral Doyle Dr
New Iberia, LA 70560

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Molly Hebert

DATE PREPARED: March 28, 2006

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of an expired Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

B. NPDES permit - NPDES permit effective date: March 1, 1994
NPDES permit expiration date: April 30, 1999
EPA has not retained enforcement authority.

C. LPDES permits - LPDES permit effective date: June 1, 2001
LPDES permit expiration date: May 31, 2006

LPDES permit effective date: April 3, 1991
LPDES permit expiration date: April 2, 1996

D. Date Application Received: December 21, 2005

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - truck transport terminal**

This facility conducts internal and external tank truck washing on trucks carrying salt and sugar. The facility cleans approximately two tankers daily. Wastewater is treated by a settling tank prior to discharge through Outfall 001. The facility has a septic tank with field lines for treatment of sanitary wastewater.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 4231, 7542

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C. LOCATION - 2618 W. Admiral Doyle Drive, New Iberia, Iberia Parish
Latitude 30 01' 33'', Longitude 91 51' 10''

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: internal and external truck wash water
Treatment: settling and aeration
Location: at the point of discharge from the treatment area to the roadside ditch, prior to mixing
with any other waters
Flow: 280 GPD
Discharge Route: Armenco Branch Canal via local drainage

4. RECEIVING WATERS

STREAM - Armenco Branch Canal via local drainage
BASIN AND SEGMENT - Vermilion-Teche River Basin, Segment 060901

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife

5. TMDL STATUS

Subsegment 060901, Bayou Petite Anse – Headwaters to Bayou Carlin, is not listed on LDEQ's Final 2004 303(d) list as impaired. However, subsegment 060901 was previously listed as impaired for suspended solids/turbidity/siltation, turbidity, nutrients, organic enrichment/ low DO, pathogen indicators, Carbofuran, and phosphorus, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 060901:

TMDL for TSS, Turbidity and Siltation for the 15 Subsegments in the Vermilion River Basin-May 2, 2002

As per the TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin, point source loads are so small as to be insignificant, and because effective policies are in place to limit TSS discharges, no specific reductions from point sources are required. TSS limits will remain as previously permitted.

As per the October 2000 LA TMDL Delist (Federal Register Notice: Vol. 66, Num. 66, pages 18087-18089, 4/5/2001), assessment of new data and information shows this segment is meeting water quality standards for turbidity. Therefore, requirements for Turbidity will not be placed in this permit.

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Bayou Petite Anse TMDLs For Dissolved Oxygen And Nutrients

LDEQ issued a declaratory ruling on April 29, 1996, concerning this language and stated, "That DO directly correlates with overall nutrient impact is a well-established biological and ecological principle. Thus, when the LDEQ maintains and protects DO, the LDEQ is in effect also limiting and controlling nutrient concentrations and impacts." DO serves as the indicator for the water quality criteria and for assessment of use support. For the TMDL in this report, the nutrient loading required to maintain the DO standard is the nutrient TMDL. Section 5.3 of the TMDL states that no reductions in the point source loading were recommended and existing permit limits should be maintained. Existing BOD₅ limitations shall be maintained in this new permit. The facility no longer washes trucks carrying fertilizer and has no sanitary discharge. Therefore, Ammonia-N and Total Phosphorus limits have not been carried over in this permit. While the facility has had three Ammonia-N exceedances in the last 2 years, the last exceedance was in December 2004. None of the exceedances was greater than 1.5 mg/l above the permit limit.

Bayou Petite Anse TMDL For Fecal Coliform, April 17, 2003

Per the TMDL, "the Louisiana Water Quality Regulations require permitted point source discharges of treated sanitary wastewater to maintain a fecal coliform count of 200 cfu/100 mL in their effluent.... Therefore, there will be no change in the permit requirements based upon a wasteload allocation resulting from this TMDL. While this facility was addressed in the TMDL, it has never had a permitted sanitary outfall. The facility does have a LDHH approved STP with field lines. Because this system does not discharge, a sanitary outfall is not included in this permit and fecal coliform limits have not been applied.

TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion Teche River Basins, March 21, 2002

There is one point source in the Vermilion-Teche (FMC Corp. LA0064360) but they do not discharge Carbofuran. No allocation was given to point source discharges in the Vermilion-Teche River Basin.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

7. COMPLIANCE HISTORY/COMMENTS

1. Inspections

March 1, 2004 – A routine compliance inspection noted that the facility was in compliance with the permit. The inspector noted that he thought there may be an unpermitted outfall from the STP. Upon inspection, he could not find an outfall. The facility has since stated that the STP has field lines and does not discharge.

2. DMR Review/Excursions – A review of DMRS submitted for the previous two years showed the following violations.

<u>Date</u>	<u>Parameter</u>	<u>Outfall</u>	<u>Reported Value</u>	<u>Permit Limits</u>
7/04	Ammonia-N	001	1.2 mg/l	1.0 mg/l
9/04	TSS	001	168 mg/l	45 mg/l
9/04	Ammonia-N	001	1.1 mg/l	1.0 mg/l

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12/04 Ammonia-N 001 2.4 mg/l 1.0 mg/l

8. EXISTING EFFLUENT LIMITS

Outfall 001 – internal and external truck wash water

Parameter	Monthly Average mg/l- Report	Daily Maximum mg/l Report	Measurement Frequency
Flow	---	---	1/month
BOD ₅	---	45	1/month
COD	200	300	1/month
Chlorides	---	250	1/month
Oil & Grease	---	15	1/month
TSS	---	45	1/month
Total Phosphorus	35	105	1/month
Ammonia (as N)	1.0	2.0	1/month
pH	6.0 (min)	9.0 (max)	1/month
Soaps & Detergents	Report	---	1/month

Changes from Existing Permit

1. Total phosphorus and Ammonia (as N) limits have been removed due to operational changes at the facility. Fertilizer trucks are no longer washed at the facility. Per LAC 33.IX.2707.L.2(a).i, less stringent limitations may be applied if substantial changes have occurred at the permitted facility after permit issuance.
2. Since the facility now washes primarily trucks transporting salt, chlorides shall be sampled for all monitoring periods.

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060901 of the Vermilion-Teche River Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 21, 2005 from Watson (FWS) to Gautreaux (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

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11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. STORMWATER POLLUTION PREVENTION PLAN

As per LAC33:IX.2511.B.14.k, stormwater discharges from facilities classified as SIC Code 4231 is considered to be associated with industrial activities. Therefore, an SWP3 is included in the permit.

The SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see narrative requirements for the AI).

13. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for McKenzie Tank Lines, Inc

1. Outfall 001 - internal and external truck wash water (estimated flow is 280 GPD)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max (mg/l)	<u>Reference</u>
Flow	Report : Report	LAC 33.IX.2707.I.1.b
BOD ₅	--- :45	Previous Permit
COD	200 : 300	Previous Permit
Chlorides	--- : 250	Previous Permit
Oil & Grease	--- : 15	Previous Permit
TSS	--- : 45	Previous Permit
pH	6.0 su – 9.0 su (min) (max)	Previous Permit
Soaps & Detergents	Report : ---	Previous Permit

Treatment: settling and aeration

Monitoring Frequency: Monthly. BOD₅ sampling shall be required only when trucks containing sugar are washed.

Limits Justification:

Transportation and Equipment Cleaning (TEC) Guidelines, found at 40 CFR 442, are not applicable to this facility. Per 40 CFR 442.1(b)(3) this subpart is not applicable to facilities discharging less than 100,000 gallons per year TEC process wastewater.

Flow: Flow monitoring and reporting is based on the previous permit and LAC 33.IX.2707.I.1.b.

BOD₅: Limit is based on previous permit and BPJ. This limit shall be sampled when trucks containing sugar are washed. Washwater from these trucks has a high potential to contribute to dissolved oxygen loading in the receiving stream.

COD, Oil & Grease, TSS, pH, Soaps & Detergents: Limits and reporting requirements are based on the previous permit, LDEQ guidance for washwater discharges, and BPJ.

Chlorides: Per LAC 33.IX.1123, the chloride standard for this subsegment is listed as NA. As such, water quality limits would not be more stringent than the existing limit and a WQ Screen was not conducted. Therefore, per LAC 33.IX.2707.L, the limit remains as previously permitted.

BPJ Best Professional Judgement
 su Standard Units